

WESTBROOK BOARD OF SELECTMEN
REGULAR MEETING
April 8, 2013
Mulvey Municipal Center
Westbrook Town Hall
Westbrook, Connecticut

CALL TO ORDER

The Regular meeting of the Board of Selectmen was called to order by First Selectman Bishop at 3:30 p.m. on Monday, April 8, 2013. In attendance included: First Selectman Bishop, Selectman Hall, Selectman Ehlert, Meg Parulis, Planner, Andrew Urban, Director of Finance, Attorney Gabe Jiran, Attorney John Walsh, Richard White, Attorney Michael Wells, Deb Lovelette, Director of VNA, Marilyn Ozols, Tony Cozza, Tom Odell, Pat Ciccone, Superintendent of Schools, Lesley Wysocki, Paul Connelly, BOF Chair, George Pytlik, BOF member and Becky Coffey, Press.

EXECUTIVE SESSION

Mr. Bishop made a motion to go into Executive Session at 3:31 p.m. for the purpose the Rhea Milardo Step 3 Grievance procedure. Mr. Hall seconded the motion. Invited into Executive Session: Attorney Walsh, Attorney Jiran and Rhea Milardo. The motion passed unanimously.

Regular session resumed at: 4:05 p.m.

Mr. Hall made a motion for the First Selectman to follow up on the Executive session grievance. Mr. Ehlert seconded the motion. The motion passed unanimously.

EXECUTIVE SESSION – Discussion on pending litigation – will be re-scheduled to a future BOS meeting.

CURRENT PRACTICES OF THE WESTBROOK PUBLIC HEALTH DEPARTMENT

Deb Lovelette, Director of VNA – An organizational chart, developed by Ms. Lovelette was included in the BOS packet. Ms. Lovelette reported that a national survey from Public Health Departments identified areas where services may be improved (data collection, educational programs). Ms. Lovelette will represent Westbrook at a Middlesex County Coalition on Community Wellness program in Portland on April 9, 2013 and report back to the BOS.

Mr. Ehlert requested clarification regarding a salary increase on position in the VNA. Ms. Lovelette responded that the VNA Governing Board determined salary based on comparable costs elsewhere. This increase is currently in effect.

Mr. Urban reported that the pro-rated increase could be absorbed in the current budget.

Mr. Bishop reported that the matter was reviewed by the Town Attorney. This item did not go through the BOS for approval as the VNA Governing Board, reporting to Medicare, is responsible for staffing the agency.

Ms. Lovelette reported that the adjustment was made to this new position to make wages fair.

Mr. Ehlert expressed concern that the perception is that an individual received a raise outside of the cycle. He requested that these issues be reported to the BOS.

STATUS OF USE OF TOWN PROPERTIES ORDINANCE (DOGS ON BEACH)

Mr. Bishop reported that two public discussions on the Dog Ordinance have taken place. The Ordinance was updated as a result of those discussions and will go back to a Town Meeting.

The BOS discussed a timeframe for allowing dogs on public beaches. The revised Ordinance states: "Dogs shall be permitted on any beach between November 1 and April 30, provided they shall be properly leashed or on proper restraint."

Hammonasset State Park allows dogs year round (properly leashed) in the picnic area and from November 1, through April 1, dogs are allowed (properly leashed) on the beach and in the camp grounds. Photos of signage outlining the protocols in a neighboring state were available.

The BOS amended the Ordinance to permit dogs on the beach between October 1 and April 30.

Ms. Sandy Bannon, Animal Control Officer, reported that the biggest complaint she receives is regarding feces. Most shoreline towns allow dogs on the beach in the "off season".

The BOS discussed adding verbiage pertaining to cleaning up after animals and fines for non-compliance.

Attorney Wells reported that the Ordinance will give the police the authority to issue a ticket for non-compliance on Town property.

Mr. Bishop will follow up on costs regarding bags for animal waste.

The BOS discussed the protocol for issuing a permit for Alcoholic Beverages.

Attorney Wells will update the Ordinance as discussed.

ANIMAL CONTROL OFFICER RE-APPOINTMENT

Mr. Bishop made a motion to re-appoint Sandy Bannon as the Westbrook Animal Control Officer for a one year term. Mr. Hall seconded the motion. The motion passed unanimously.

Ms. Bannon reported that the new shared animal control shelter will have no impact on her responsibilities.

BUILDING OVERSIGHT COMMITTEE FOR CAPITAL PROJECTS

Mr. Bishop made a motion to add to the agenda a discussion on a proposed building committee to oversee capital projects at the Westbrook schools. Mr. Hall seconded the motion. The motion passed unanimously.

Mr. Bishop reported that the BOF discussed the need, given the nature of the projects and use of town funds, for an oversight committee for the CIP projects at the Westbrook schools.

Superintendent Ciccone reported that the proposed projects at the schools must be completed in the summer months. CREC is the Clerk of the Works for the projects. She proposes that CREC work with the Long Range Planning Committee (5 members reporting to the BOE) and the Finance Department. CREC

is in the business of school construction and familiar with the processes. They will be developing a scope of work and cost estimates.

Superintendent Ciccone proposed that the BOE Long Range Planning Committee be the oversight group and suggested that town individuals be included in their discussions.

Mr. Bishop reported that he spoke to Maureen Westbrook, Chairman of the BOE. She has a strong preference to having the Long Range Planning Committee oversee the projects with several town people to join their group.

Mr. Bishop proposed using the Long Range Planning Committee and adding 3 town individuals to the Committee. Mr. Pytlik objected to this proposal (voting rights) and felt that a separate building committee is appropriate.

The group discussed the role of the recent Boiler Committee for the schools.

Mr. Pytlik reported that all past projects have had a Building Committee and felt strongly that this project needs a Building Committee to oversee the project.

Superintendent Ciccone reported that the BOE is responsible and accountable for the projects. The BOE is trying to have stringent accountability by having CREC oversee the project.

Mr. Ehlert suggested that perhaps an Oversight Committee is needed for the entire CIP plan. This recommendation will be re-visited.

The BOS discussed the formation a separate, free standing committee for school projects consisting of BOE members and the public. Mr. Urban commented that Bond Counsel will favor an Oversight Committee for these bonded projects.

Mr. Hall made a motion to establish a 7 member School Building Committee to oversee the current projects at the Westbrook schools. The Committee is to consist of no more than 3 representatives from the BOE and is to be forwarded to a Town Meeting for approval. Mr. Bishop seconded the motion. The motion passed unanimously.

SET DATE FOR BUDGET REFERENDUM

Mr. Bishop made a motion to set the date of May 30, 2013 for the Budget Referendum. Mr. Hall seconded the motion. Discussion followed.

Mr. Ehlert expressed concern that the Citizens Guide to the Town of Westbrook Budget was distributed without prior discussion by the BOS. He reported that one date advertized in the document, Wednesday, May 9, 2013, is incorrect. May 9, 2013 is a Thursday. He continued that the BOF, through the Chairman, was informed that this document would be developed and distributed.

Mr. Urban responded that several surrounding towns, Essex and East Haddam, provide a similar document to their residents. This informational bulletin was discussed with Paul Connelly, BOF Chair and Noel Bishop, First Selectman.

Mr. Bishop reported that the information in the Guide is informational and not slanted for or against the budget. All of the data in the document has been discussed in an open forum and voted on. The document was reviewed by the Chairman of the BOF, the Town Attorney, the Finance Director and the First Selectman and no additional funds were needed to produce the document.

The motion was amended to read: "Mr. Bishop made a motion to set the date of May 30, 2013, from noon to 8:00 p.m., for the Budget Referendum. Mr. Hall seconded the motion. The motion passed unanimously.

STATUS OF FOOD INSPECTOR

Mr. Bishop made a motion to appoint Mr. Ron Rose as interim Food Service Inspector for the Town of Westbrook for a period of 90 days beginning April 8, 2013. Mr. Hall seconded the motion. The motion passed unanimously.

"BUDDY" PROGRAM CONTRIBUTIONS

Mr. Bishop reported that in the past, the BOS allocated funds received in lieu of taxes to the "Buddy Programs". To date this year, these funds have not yet been received. Mr. Urban reported that money is available in the contribution account to fund the Buddy Baseball program.

Mr. Urban reported that funds in lieu of taxes have been received for several years and recorded incorrectly as misc. state revenues. A detailed listing of organizations receiving town funds is available.

Mr. Ehlert expressed concern about the protocol used to distribute funds received "in lieu of taxes".

Mr. Ehlert made a motion to donate \$800 from the contribution account to the Buddy Baseball program. Mr. Hall seconded the motion. Mr. Bishop abstained from voting. Mr. Hall and Mr. Ehlert voted in favor of the motion. The motion passed.

STATUS OF CROSSWALK – Route 1

Mr. Bishop reported that several requests for a crosswalk on Rte. 1 (in the vicinity of Wilcox Oil) have been forwarded to the Selectman's office.

Mr. Bishop met with Trooper Hart and Bonnie Palermo, Chairman of the Police Advisory Traffic Authority to discuss the requests. Since Route 1 is a state road, the state (DOT) determines the placement of crosswalks. Trooper Hart added that there are site line issues in that area. He continued that at all major town events, a Constable or Trooper are assigned to traffic in the area.

Ms. Parulis, Planner, informed the BOS that the Police Advisory/Traffic Authority has a meeting scheduled with the Town Center Revitalization Committee to discuss this matter and other traffic related issues in town. The Town Center Revitalization Committee has approved a study with UConn and traffic will be a topic of their study.

Mr. Ehlert made a motion to forward a communication to the Police Advisory/Traffic Authority requesting follow-up information from the UCONN meeting and invite them to a BOS meeting. Mr. Hall seconded the motion. The motion passed unanimously.

SET DATE FOR TOWN MEETING

Mr. Bishop made a motion to set the date of April 30, 2013 for a Town Meeting. Mr. Hall seconded the motion. The motion passed unanimously.

Items on the agenda include: Property at Pilot's Point Marina, Appointments, C-PACE Program, Library Generator, Use of Town Property Ordinance, Zoning and Sub Division Regulations, Bond Resolutions, CIP, and School Building Committee.

Mr. Ehlert will forward information to the BOS on the Clean Energies Community Program.

Mr. Ehlert made a motion to approve the Use of Town Properties Ordinance as presented by Attorney Wells with the changes proposed (permit dogs on the beach between October 1 and April 30 adding verbiage pertaining to cleaning up after animals and fines for non-compliance) Mr. Bishop seconded the motion. The motion passed unanimously.

Mr. Bishop made a motion to approve Town Meeting agenda items as discussed. Mr. Hall seconded the motion. The motion passed unanimously.

APPOINTMENT TO REGIONAL AGRICULTURE STUDY GROUP

Information provided by RiverCOG regarding the formation and representation on a Regional Agricultural Council was included in the BOS packet.

Mr. Bishop made a motion to appoint Bonnie Hall to the Regional Agricultural Council. Mr. Ehlert seconded the motion. Mr. Hall abstained from voting. Mr. Bishop and Mr. Ehlert voted in favor of the motion. The motion passed.

5 minute recess – 6:00 p.m. - meeting resumed 6:05 p.m.

BOND RESOLUTIONS

Mr. Bishop made a motion to consider and act upon a resolution recommending an appropriation and borrowing authorization in the amount of \$3,625,000 for costs in connection with the acquisition of four fire trucks and related equipment. Mr. Hall seconded the motion. The motion passed unanimously.

Mr. Ehlert made a motion to consider and act upon a resolution recommending an appropriation and borrowing authorization in the amount of \$1,540,000 for costs in connection with various town infrastructure improvements. Mr. Hall seconded the motion. The motion passed unanimously.

Mr. Ehlert made a motion to consider and act upon a resolution recommending an appropriation and borrowing authorization in the amount of \$1,925,000 for costs in connection with various town schools improvements. Mr. Bishop seconded the motion. The motion passed unanimously.

Mr. Bishop made a motion to consider and act upon a resolution submitting resolutions with respect to capital project recommendations to be considered under items #a through #c, inclusive, above of this agenda to the Town Meeting on 4/30/13 and to referendum vote on 5/30/13 from noon to 8:00 p.m., and making other determinations and authorizations in connection therewith. Mr. Hall seconded the motion. The motion passed unanimously.

Mr. Bishop made a motion to approve the Capital Appropriation Request for the Westbrook Fire Dept. in the amount of \$65,000 to replace 1997 Safety Truck and forward to a Town Meeting. Mr. Hall seconded the motion. The motion passed unanimously.

Mr. Ehlert made a motion to approve the Capital Appropriation Request for the Westbrook Library in the amount of \$84,000 for a Library Generator and forward to a Town Meeting. Mr. Bishop seconded the motion. The motion passed unanimously.

APPROPRIATIONS

Mr. Bishop made a motion to approve a capital appropriation request in the amount of \$33,000 for the biennial replacement of a police vehicle and forward the request to the BOF and a Town Meeting. Mr. Ehlert seconded the motion. The motion passed unanimously.

Mr. Hall made a motion to add to the agenda a discussion on the Tax Collector's request for \$10,000 for the Tax Collector Refund Account. Mr. Bishop seconded the motion. The motion passed unanimously.

Mr. Bishop made a motion to approve a contingency transfer request in the amount of \$10,000 for the Tax Collector's Refund Account and forward the request to the BOF for action. Mr. Hall seconded the motion. The motion passed unanimously.

BOARD/COMMISSION SECRETARY CLASSIFICATION CHANGE

Mr. Urban reported that the Connecticut Department of Labor contacted him regarding the classification of board and commission secretaries. Documentation was in the BOS packet and included a proposed change to the policy adopted by the BOS in January 2009.

A letter has been sent regarding this policy to board and commissions Chairs and the 4 individuals affected. Mr. Urban does not foresee any substantial liability for Social Security and Medicare as a result of the changes. Mr. Urban will inform the BOS of the total liability.

Mr. Bishop made a motion to amend the language in the policy as presented. Mr. Hall seconded the motion. The motion passed unanimously.

RECREATIONAL TRAILS GRANT

Information regarding the Recreational Trails Grant was included in the BOS packet. If/when the Grant is received, it will be presented to the BOS.

TOWN MEETING AGENDA

Mr. Hall made a motion to add to the Town Meeting Agenda \$65,000 for the replacement of 1997 Safety Truck and \$33,000 for the Police Cruiser. Mr. Bishop seconded the motion. The motion passed unanimously.

APPOINTMENTS/RESIGNATIONS

Mr. Bishop made a motion to accept the resignation of Carla Holbrook from the Police Advisory/Traffic Authority. Mr. Hall seconded the motion. The motion passed unanimously.

First Reading – Preston Pope – R – Police Advisory/Traffic Authority

Mr. Hall made a motion to appoint Richard White to the Ad Hoc Energy Committee. Mr. Ehlert seconded the motion. The motion passed unanimously.

INNOVATIVE MISQUITO MANAGEMENT CONTRACT

A copy of the Innovative Mosquito Management Contract was included in the BOS packet. Comments from Dr. Bernstein, Director of Health were distributed.

Mr. Bishop made a motion to accept Innovative Mosquito Management Contract in an amount not to exceed \$12,750 as presented. Mr. Hall seconded the motion. The motion passed unanimously.

APPROVAL OF MINUTES

Mr. Bishop made a motion to approve the meeting minutes from the 3/21/13 CIP meeting as amended. Mr. Hall seconded the motion. The motion passed unanimously.

Corrections: Page 2 – note that Mr. Izzo is acting as the Westbrook Fire Department’s Radio Engineer.
Page 3 – change EOC to Emergency Management.

Mr. Ehlert made a motion to approve the meeting minutes from the 3/21/13 Regular meeting as amended. Mr. Hall seconded the motion. The motion passed unanimously.

Correction: note that the C-Pace program will be sent to a Town Meeting

DIRECTOR OF FINANCE REPORT

Mr. Urban reported that the monthly financial reports will be sent to the BOS via e-mail.

Mr. Ehlert requested the salary survey data. Mr. Urban will provide.

FIRST SELECTMAN’S REPORT

Mr. Bishop reported on the following:

- Both the Union and Management met to develop timelines and rules for negotiations.
- Congressman Courtney recently met with Selectmen to provide a debriefing on FEMA. Mr. Gene Cieri was also in attendance. Mr. Urban added that the Town received a check from FEMA in the amount of \$90,000.

Mr. Hall made a motion to add to the agenda a discussion on Beach passes. Mr. Bishop seconded the motion. The motion passed unanimously.

Mr. Hall made a motion to approve the Parking Beach Pass Policy as presented. Mr. Bishop seconded the motion. The motion passed unanimously.

Residents – Free – you must show a valid driver’s license or mail or tax bill to the attendant.

Non-resident - \$20, per vehicle/daily pass only

Temporary resident - \$10, visitors of Westbrook residents

Motels - \$20, Owner must purchase/limited to number of rooms

Cottage Rentals - \$20, Rental agreement required. Vehicle registered to renter only

Boaters - \$30, seasonal slip agreement required/vehicle registration to slip renters only

Business - \$10, owner must purchase/Town reserves the right to limit the number of passes
Timeshare owners - \$10, temp. pass for the week. Show proof of ownership

ADJOURNMENT

Mr. Bishop made a motion to adjourn the meeting at 6:50 p.m. Mr. Hall seconded the motion. The motion passed unanimously.

Respectfully Submitted,

Suzanne Helchowski
Administrative Assistant

Attest,

Noel Bishop
First Select